

1999 ASSEMBLY BILL 545

1 **AN ACT** *to amend* 111.93 (3); and *to create* 230.35 (2d) of the statutes; **relating**
2 **to:** paid leaves of absence for state employes for the purpose of serving as bone
3 marrow and human organ donors.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 111.93 (3) of the statutes is amended to read:
5 111.93 (3) Except as provided in ss. 40.05, 40.80 (3), 111.91 (1) (cm), 230.35 (2d)
6 and 230.88 (2) (b), if a collective bargaining agreement exists between the employer
7 and a labor organization representing employes in a collective bargaining unit, the
8 provisions of that agreement shall supersede the provisions of civil service and other
9 applicable statutes, as well as rules and policies of the board of regents of the
10 university of Wisconsin system, related to wages, fringe benefits, hours and

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1 conditions of employment whether or not the matters contained in those statutes,
2 rules and policies are set forth in the collective bargaining agreement.

3 **SECTION 2.** 230.35 (2d) of the statutes is created to read:

4 230.35 **(2d)** (a) In this subsection:

5 1. “Bone marrow” has the meaning given in s. 146.34 (1) (a).

6 2. “Human organ” has the meaning given for “vascularized organ” in s. 157.06
7 (1) (L).

8 (b) An appointing authority shall grant a leave of absence of 5 workdays to any
9 employe who requests a leave of absence to serve as a bone marrow donor if the
10 employe provides the appointing authority written verification that he or she is to
11 serve as a bone marrow donor.

12 (c) An appointing authority shall grant a leave of absence of 30 workdays to any
13 employe who requests a leave of absence to serve as a human organ donor if the
14 employe provides the appointing authority written verification that he or she is to
15 serve as a human organ donor.

16 (d) An employe who is granted a leave of absence under this subsection shall
17 receive his or her base state pay without interruption during the leave of absence.
18 For purposes of determining seniority, pay or pay advancement and performance
19 awards and for the receipt of any benefit that may be affected by a leave of absence,
20 the service of the employe shall be considered uninterrupted by the leave of absence.

21 (e) For employes who are included in a collective bargaining unit for which a
22 representative is recognized or certified under subch. V of ch. 111, this subsection
23 shall apply unless otherwise provided in a collective bargaining agreement.

24 **(END)**